

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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EVERYTOWN FOR GUN SAFETY  
ACTION FUND, INC.,  
  
Plaintiff,

v.

DEFCAD, INC.; ODYSEE USER  
XYEEZYSZN; DEFCAD USER  
XYEEZYSZN; ODYSEE USER  
THEGATALOG-PRINTABLEMAGAZINES;  
THE GATALOG; DEFCAD USER  
FREEMAN1337; TWITTER USER  
XYEEZYSZN; PHILLIP ROYSTER.  
  
Defendants.

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Civil Action No. 21-cv-08704-  
PGG

**STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE AND WITHOUT  
FEES OR COSTS AS TO EITHER PARTY**

Plaintiff Everytown for Gun Safety Action Fund, Inc. (“Everytown”), and Defendant The Gatalog (“Gatalog”) hereby stipulate as follows:

1. Everytown and Gatalog have reached a settlement of the above-captioned action, and as a condition of their settlement, the Parties have agreed to the entry of a Stipulated Order.
2. This Court entered the Stipulated Order on March 8, 2023 [DKT. 150].
3. Everytown now agrees to dismiss its claims against Gatalog with prejudice.

Therefore, Everytown and Gatalog stipulate and agree that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Everytown voluntarily dismisses its claims against Gatalog with

prejudice. Everytown and Gatalog waive any right to recover attorneys' fees or costs from each other in connection with the above-captioned action upon dismissal.

All parties who have appeared in this action on behalf of Everytown or Gatalog have signed this stipulation below, by themselves or through their respective attorneys of record.

Respectfully submitted,

Dated: March 15, 2023

EVERYTOWN FOR GUN SAFETY ACTION  
FUND, INC.

By: /s/Marcella Ballard

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*Attorneys for Plaintiff Everytown for Gun Safety  
Action Fund, Inc.*

Dated: March 15, 2023

THE GATALOG

By: /s/Daniel Louis Schmutter

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